IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GARNELL BAILEY,   )
) Civil Action
                 Plaintiff   ) No. 02-CV-04683
)
        vs.   )
)
LUCENT TECHNOLOGIES, INC. and   )
AGERE SYSTEMS,   )
)
                 Defendants   )

O R D E R

NOW, this 4th day of January, 2005, upon consideration
of the Motion for Reconsideration of Order Denying Motion for New
trial, which motion was filed on behalf of plaintiff December 9,
2004; upon consideration of Defendant's Opposition to Plaintiff's
motion for reconsideration of Order Denying Motion for New trial
filed on behalf of defendants December 15, 2004; upon
consideration of Motion to request payment for transcription,
which motion was filed on behalf of plaintiff December 10, 2004;
it appearing that plaintiff did not attach to the within motions
the Affidavit of plaintiff Garnell Bailey, which affidavit is
referenced in both of the within motions; it further appearing
that this court is without necessary information pertaining to
plaintiff's current ability to pay for the transcription of the
trial transcripts in this matter in order to rule on the pending
motions,

IT IS ORDERED that on or before January 17, 2005 plaintiff Garnell Bailey is directed to fully complete the attached Statement in Support of Request to Proceed In Forma Pauperis.[1]

IT IS FURTHER ORDERED that plaintiff shall immediately forward to the court and defense counsel a copy of the Affidavit referenced in her within motions.

IT IS FURTHER ORDERED that the court reserves decision on plaintiff's within motions until receipt of the requested financial information.

IT IS FURTHER ORDERED that in the event that plaintiff does not submit the financial information by January 17, 2004 the court may dismiss plaintiff's within motions.

BY THE COURT:

/s/ JAMES KNOLL GARDNER
James Knoll Gardner
United States District Judge

---

[1]   It is the sense of this Order that plaintiff shall include financial information concerning both her solely owned assets and those which she owns jointly with her husband or anyone else, when completing the attached form.